



October 28, 2013

VIA ELECTRONIC FILING AND REGULAR MAIL

Honorable Dickinson R. Debevoise
United States District Court, District of New Jersey
M.L. King, Jr. Federal Bldg. & U.S. Courthouse
Room 5083
50 Walnut Street
Newark, NJ 07102

David R. Kott
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Re: Walsh Securities, Inc. v. Cristo Property Management, Ltd., et al.
United States District Court for the District of New Jersey
Civil Action No. 97-cv-3496 (DRD) (JAD)

Dear Judge Debevoise:

We represent the defendant, Commonwealth Land Title Insurance Company, in this case. I write in response to an October 12, 2013 letter and its enclosures sent by pro se defendant, Richard Calanni, to Your Honor in which Mr. Calanni objects to dismissal of his counter-claim against the plaintiff, and possibly also objects to dismissal of his purported cross-claims against the defendants. [Document 557 Filed 10/16/13]. I understand from Edward J. Hayes, Jr., Esq., the attorney for co-defendants, Nations Title Insurance of New York Inc. and Fidelity National Title Insurance Company of New York, that he joins in this letter.

We are in receipt of an October 25, 2013 letter and its enclosures from Amy Walker Wagner, Esq., one of the attorneys for the plaintiff, to Your Honor and Judge Dickson setting forth plaintiff's position on any claims made by Mr. Calanni in this matter. [Document 579 Filed 10/25/13]. We join in and adopt footnote 5 on page 4 of Ms. Wagner's October 25, 2013 letter as to why Mr. Calanni's cross-claims for contribution and indemnification against the title insurance defendants are without merit.

We also add the following. While it does not appear that Mr. Calanni's answer to the Fourth Amended Complaint contains any cross-claims against the title insurance defendants [Document 353 Filed 09/29/03], to the extent Mr. Calanni is of the view that he has asserted cross-claims against the title insurance defendants that position is without merit. Any such cross-claims of Mr. Calanni would be contingent upon Mr. Calanni being found liable to the plaintiff. Insofar as plaintiff's Complaints/Amended Complaints have been dismissed, Mr. Calanni cannot be found liable to the plaintiff and hence to the

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extent Mr. Calanni is taking the position that he has asserted cross-claims against the title insurance defendants those cross-claims are without merit.

Respectfully submitted,

DL

David R. Kott

DRK/tas

cc: Honorable Joseph A. Dickson (via electronic filing & regular mail)
Robert A. Magnanini, Esq. (via electronic filing & regular mail)
Richard Calanni, Pro Se (via certified mail, r.r.r. & regular mail)